

II. Claim Amendments

Claims 1-4 (Previously Cancelled, without prejudice or disclaimer)

5. (Presently Amended) A vaccine comprising an avian reovirus belonging to an antigenic class of avian reoviruses ERS isolates, wherein the avian reovirus is able to induce antiserum in an animal, which antiserum causes a reduction of the plaques formed by avian reovirus ERS, a sample of which is deposited at the ECACC under accession no. 99011475, of at least 75% in a plaque reduction assay and wherein the avian reovirus positively reacts with polyclonal avian reovirus antiserum but not with monoclonal antibodies expressed by hybridomas identified by ~~but not with monoclonal antibodies identified by~~ accessions nos. 99011472, 99011473 and 99011474, samples of which are deposited at the ECAC, and a pharmaceutical acceptable carrier or diluent.

- 6. (Original) The vaccine according to claim 5, which is in a live attenuated form.
- 7. (Original) The vaccine according to claim 5, which is in an inactivated form.
- 8. (Original) The vaccine according to claim 5, which further comprises an adjuvant.
- 9. (Original) The vaccine according to claim 5, which further comprises one or more vaccine components of other pathogens infectious to poultry.

Claims 10-13 (Previously Cancelled, without prejudice or disclaimer)

14. (Previously Amended) A vaccine comprising an avian reovirus which is avian reovirus ERS, a sample of which is deposited at the ECACC under accession no. 99011475, and a pharmaceutically acceptable carrier or diluent.

Claim 15 (Previously Cancelled, without prejudice or disclaimer)

16. (Previously Added) The vaccine of Claim 9 wherein the one or more vaccine components comprises at least one vaccine component selected from the group consisting of

infectious bronchitis virus, Newcastle disease virus, infectious bursal disease virus, fowl adenovirus, EDS virus and turkey rhinotracheitis virus.

17. (Previously Added) The vaccine of Claim 9 wherein the one or more vaccine components are either one of a live attenuated form or an inactivated form.

Claims 18-23 (Cancelled, without prejudice or disclaimer)

24. (Previously Added) The vaccine of Claim 5 wherein the avian reovirus is able to induce antiserum in an animal, which antiserum causes a reduction of the plaques formed by avian reovirus ERS, a sample of which is deposited at the ECACC under accession no. 99011475, of at least 80% in a plaque reduction assay.

25. (Previously Added) The vaccine of Claim 5 wherein the avian reovirus is able to induce antiserum in an animal, which antiserum causes a reduction of the plaques formed by avian reovirus ERS, a sample of which is deposited at the ECACC under accession no. 99011475, of at least 90% in a plaque reduction assay.

III. Remarks

Applicants extend their thanks to the Examiner for the interview of February 5, 2004. Specifically, Applicants extend their thanks to Examiners Winkler and Brown for taking time out of their day to attend. Applicants again assert their position that the use of the plaque reduction assay and monoclonal antibody binding pattern does define/correlate with the structure of the avian reovirus. Applicants, as stated, are claiming a subspecies of avian reovirus.

Claims 5-9, 14, 16-17, and 23-25 are presently pending. Claims 1-4, 10-13, 15, and 18-22 were cancelled without prejudice or disclaimer. Claim 5 has been amended.